

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3096 OF 2021
IN
BAIL APPLICATION NO. 2154 OF 2018**

Nikunj Virendrakumar Jain ..Applicant.
Versus
The State of Maharashtra ..Respondent

Mr. Sanjeev Kadam a/w. Varsha M. Thorat i/b. Dilip B. Shinde for Applicant.
Smt. J. S. Lohokare, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 4th AUGUST 2022**

PC :

1. This application is filed for relaxation of the condition No. (vi) imposed by this Court while granting bail to the applicant in connection with C.R.No.28 of 2018 registered at Dattawadi police station vide order dated 24/07/2019 and 29/07/2019 in Bail Application No.2154 of 2018 along with Criminal Application No. 783 of 2019.

2. The brief allegation against the applicant was that, he was instrumental in developing the software which was used by accused Amit Bharadwaj and Vivek Bharadwaj for Crypto currency.

The main allegations are against Amit Bharadwaj and Vivek Bharadwaj. By reasoned order the applicant was granted bail on various conditions. The condition No. (vi) of the said order reads thus:---

“The applicant will deposit his passport with the MPID Court within a period of two weeks from today if it is not deposited with the investigating agency, already.”

3. Learned counsel for the applicant submits that, now since the normalcy is returning the applicant is getting opportunity to work abroad. He is graduate from IIT Delhi. The trial is not likely to conclude within a reasonable period. During that period he will lose all his opportunities.

4. Learned APP opposed this application. She submitted that the applicant has not attended the police station, though, he was called in connection with C.R.No.8 of 2022 registered at Cyber Police station, Pune.

5. Learned counsel for the applicant states that the applicant has no intention of not co-operating in that investigation.

Learned counsel states that the applicant shall attend the said police station as and when called. Considering this statement, the applicant can establish his bonafides. However, apprehension and concern expressed by learned counsel for the applicant is also important. The trial is not likely to get over very soon. Therefore, in the interest of justice, following order is passed:

ORDER

- i) The Applicant shall give definite information about his opportunities at abroad and his possible itinerary, to the trial court.
- ii) The trial court shall consider his request for return of Passport and for permission to travel abroad for reasonable period on the basis of application made before him by the applicant and the Investigating Agency's reply on it.
- iii) With these directions, the application is disposed of.

(SARANG V. KOTWAL, J.)